

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Order Instituting Rulemaking Regarding
Broadband Infrastructure Deployment and to
Support Service Providers in the State of
California.

Rulemaking 20-09-001

**OPENING COMMENTS ON ASSIGNED COMMISSIONER'S RULING ON
LOCATIONS FOR A STATEWIDE OPEN ACCESS MIDDLE MILE NETWORK**

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I. INTRODUCTION

Pursuant to the Assigned Commissioner's Ruling issued August 6, 2021 (Middle Mile Ruling), the Public Advocates Office at the California Public Utilities Commission (Cal Advocates) submits these opening comments.

Senate Bill (SB) 156, signed into law on July 20, 2021, initiates the creation of a statewide open-access middle mile network. The law requires the California Public Utilities Commission (Commission) staff, in collaboration with relevant stakeholders, to provide the California Department of Technology's (CDT) Office of Broadband and Digital Literacy a report that contains locations for the statewide open-access middle mile broadband network (the state middle mile network).¹ CDT's Middle Mile Advisory Group recently established three guiding principles for the development of the state middle mile network:

1. Provide affordable, open access middle mile infrastructure.
2. Build expeditiously, leveraging existing infrastructure networks and construction projects, where feasible.
3. Prioritize connectivity to unserved and underserved communities, including community institutions.²

The Middle Mile Ruling seeks comments on identifying existing middle mile infrastructure, determining priority areas for the state middle mile network to serve, assessing the affordability of middle mile infrastructure, leasing existing infrastructure, interconnecting with other middle mile and last mile networks, and determining network route capacity. Based on the best available broadband deployment data, the Commission should:

- Prioritize building sections of the middle mile network that are near Environmental and Social Justice (ESJ) communities, Tribal communities, and Tier 2 and 3 High Fire Threat District (HFTD) areas that are unserved³ or underserved⁴ by middle mile.

¹ Middle Mile Ruling, p. 1.

² Middle Mile Advisory Group Meeting, August 18, 2021. Meeting minutes available as of August 24, 2021 at: <https://cdt.ca.gov/middle-mile-advisory-committee/middle-mile-past-meeting-resources/>

³ See definition of unserved in Section 281(b)(B)(ii) of Senate Bill 156, available as of 8/25/2021 at: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB156

⁴ See definition of underserved in Section 11549.54(c) of Senate Bill 156, available as of 8/25/2021 at: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB156

- Recommend to CDT that access to the state middle mile network be sold on a wholesale basis at cost-based prices to last mile service providers, including communications service providers, local governments, and tribal governments.
- Recommend to CDT that all last mile service providers that connect to the middle mile network, including communications service providers, local governments, and tribal governments, offer a low-income broadband plan.
- Collect input from community organizations across the state through comprehensive community engagement methods about where middle mile infrastructure is most needed.
- Recommend that CDT require commitments from last mile service providers and local agencies to ensure that these entities build last mile broadband service in the communities in which the middle mile network is located.

II. DISCUSSION

- A. The Commission should prioritize building sections of the middle mile network that are near ESJ communities, Tribal communities, and Tier 2 and 3 High Fire Threat District areas that are unserved or underserved to ensure this network serves the needs of these communities first.**

The immense scale of the proposed state middle mile network poses multiple challenges to implement, including budget constraints that could limit the deployment of the proposed state middle mile. These budget constraints, in addition to constraints such as difficult terrain, right-of-way issues, and unexpected events like supply chain disruptions⁵ or extreme weather could easily result in time and cost overruns; therefore, the Commission should carefully consider how it prioritizes middle mile funding. Because there is a fixed budget of \$3.75 billion to complete the state middle mile network, the Commission should recommend that CDT deploy infrastructure in areas that would advance digital equity⁶ and SB 156’s goal of providing

⁵ See recent coverage on AT&T fiber shortage, available as of 8/27/2021 at: <https://arstechnica.com/information-technology/2021/08/att-delays-500000-fiber-to-the-home-builds-due-to-severe-fiber-shortage/>

⁶ Digital Equity is defined as follows by the National Digital Inclusion Alliance: “Digital Equity is a condition in which all individuals and communities have the information technology capacity needed for full participation in our society, democracy and economy. Digital Equity is necessary for civic and cultural participation, employment, lifelong learning, and access to essential services.”

broadband access to no less than 98% of California households by no later than December 31, 2026.⁷

The Commission should recommend that CDT prioritize segments of middle mile fiber infrastructure to unserved and underserved areas in ESJ communities, tribal communities, and HFTD areas. These demographic factors, which are publicly available datasets, should be used to help identify communities most in need of broadband infrastructure because they represent areas which are historically disadvantaged and, in the case of HFTDs, more susceptible to climate risks which necessitate reliable advanced communications infrastructure. As such, this prioritization should be guided using the values outlined in the ESJ Action Plan,⁸ including improving economic and workforce development, increasing climate resiliency, and improving access to communications services in ESJ communities. By prioritizing the communities most in need, the Commission can ensure the state middle mile network advances digital equity.

The Commission should use its most recent End of Year Broadband Deployment data to identify unserved and underserved areas and prioritize them for middle mile deployment.⁹ To prioritize households, the Commission should group census blocks by the proportion of households that (1) do not have access to any broadband service, or have access to broadband service below speeds of 25 Megabits per second (Mbps) download, (2) have access to broadband service between 25 Mbps and 100 Mbps download speed, and (3) have access to broadband service above 100 Mbps download. Once the Commission assigns census blocks to priority groups, it should prioritize communities in the following order (1) Tribal communities, (2) ESJ

⁷ See Section 7, 281(b) of SB 156, available as of 8/27/2021 at: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB156

⁸ See ESJ Action Plan, pp. 6-8. ESJ Action Plan available as of 8/19/2021, <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/news-and-outreach/documents/news-office/key-issues/esj/environmental-and-social-justice.pdf>

⁹ See the CPUC End of Year Broadband Deployment data for December 2019 available as of 8/19/2021: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-mapping-program/california-broadband-availability-maps-and-gis-data>

Communities as defined in the ESJ Action Plan,¹⁰ (3) communities with high socioeconomic vulnerability indices as described in Cal Enviroscreen,¹¹ and (4) communities within HFTDs.

1. Cal Advocates Prioritization Example Methodology

Cal Advocates provides the following example to illustrate how the Commission may conduct a prioritization process to recommend areas to CDT where the state middle mile network should be deployed first. Note that given time constraints for the filing of these comments, this example prioritization is not as comprehensive as the Commission's final prioritization should be, nor does it match the recommendations Cal Advocates makes for the Commission in the preceding paragraph. For explanatory purposes, Cal Advocates uses Tribal and HFTD areas to conduct this example prioritization, but the Commission may elect to use different or additional measures of socioeconomic vulnerability. This analysis presents an illustrative methodology for conducting the prioritization geographically and shares key findings from the exercise.

First, using geospatial analysis, Cal Advocates identified census blocks without broadband availability at speeds of 25 Mbps download. There are many areas in California that meet this criterion, so to further prioritize specific areas, Cal Advocates identified locations that are within Tribal and HFTD census tracts, within Tribal census tracts only, and within HFTD census tracts only. Figure 1 shows the locations of census blocks in California meeting these criteria, disaggregated by households with no access at all and households with less than 25 Mbps download, and displays locations of Tribal and HFTD areas in California.¹²

¹⁰ ESJ Action Plan available as of 8/19/2021, <https://www.cpuc.ca.gov/-/media/cpuc-website/divisions/news-and-outreach/documents/news-office/key-issues/esj/environmental-and-social-justice.pdf>

¹¹ Cal Enviroscreen data available as of 8/19/2021, <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-30>

¹² Compiled using (1) CPUC End of Year Broadband Deployment data as of 2019: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/broadband-mapping-program/california-broadband-availability-maps-and-gis-data>, (2) CPUC High Fire Threat District Map data as of 8/19/2021: <https://ia.cpuc.ca.gov/firemap/> and (3) Tribal areas as defined by the US Census data as of 2017: <https://catalog.data.gov/dataset/tiger-line-shapefile-2017-nation-u-s-current-american-indian-alaska-native-native-hawaiian-area>

Figure 1: Census Blocks without 25 Mbps Download & Tribal or HFTD Areas

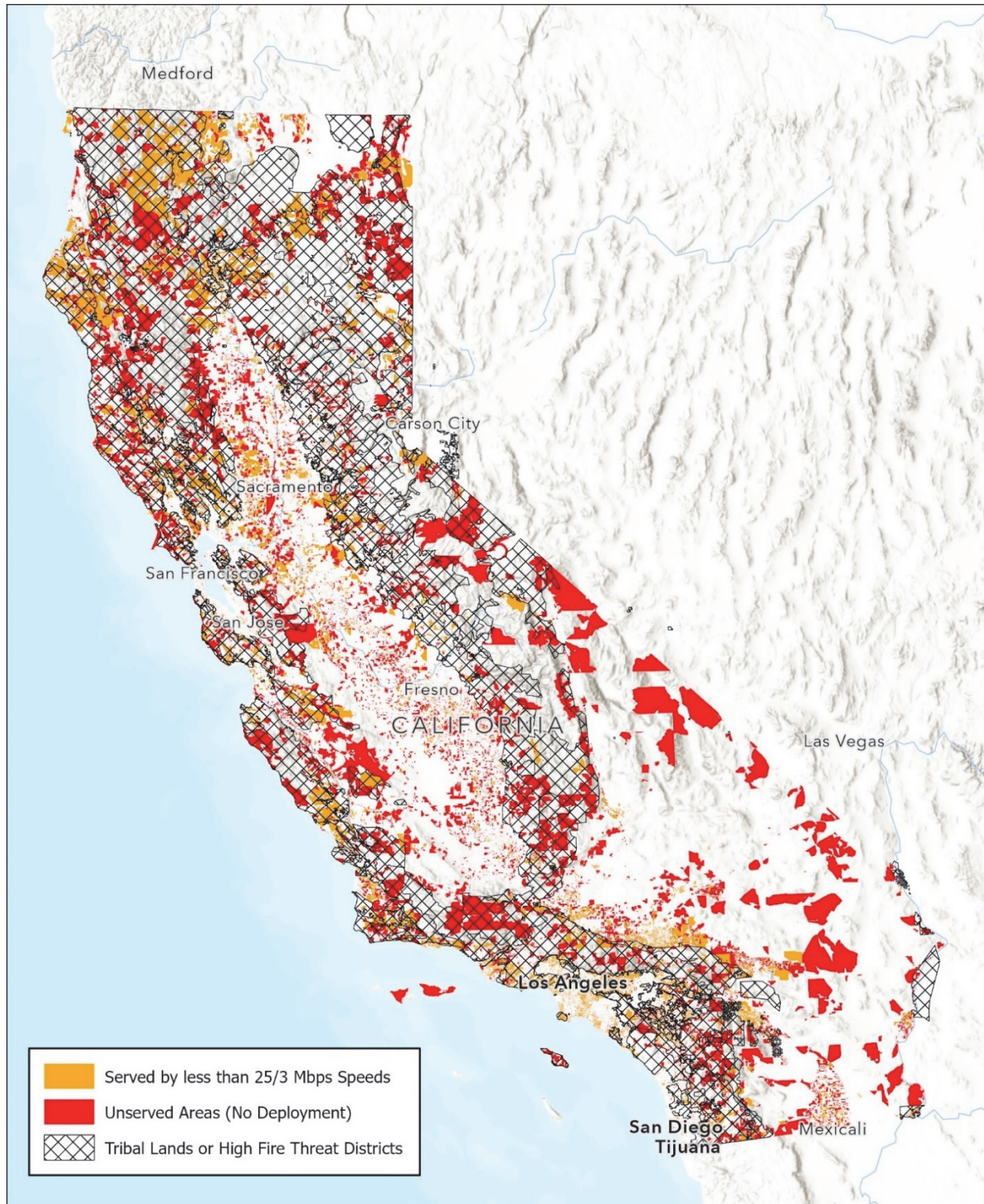


Figure 2 displays the intersection of the colored areas and hatched areas in Figure 1, representing areas that lack access to 25 Mbps download that are within Tribal or HFTD areas.

Figure 2: Census Blocks without 25 Mbps Download *within* Tribal or HFTD Areas

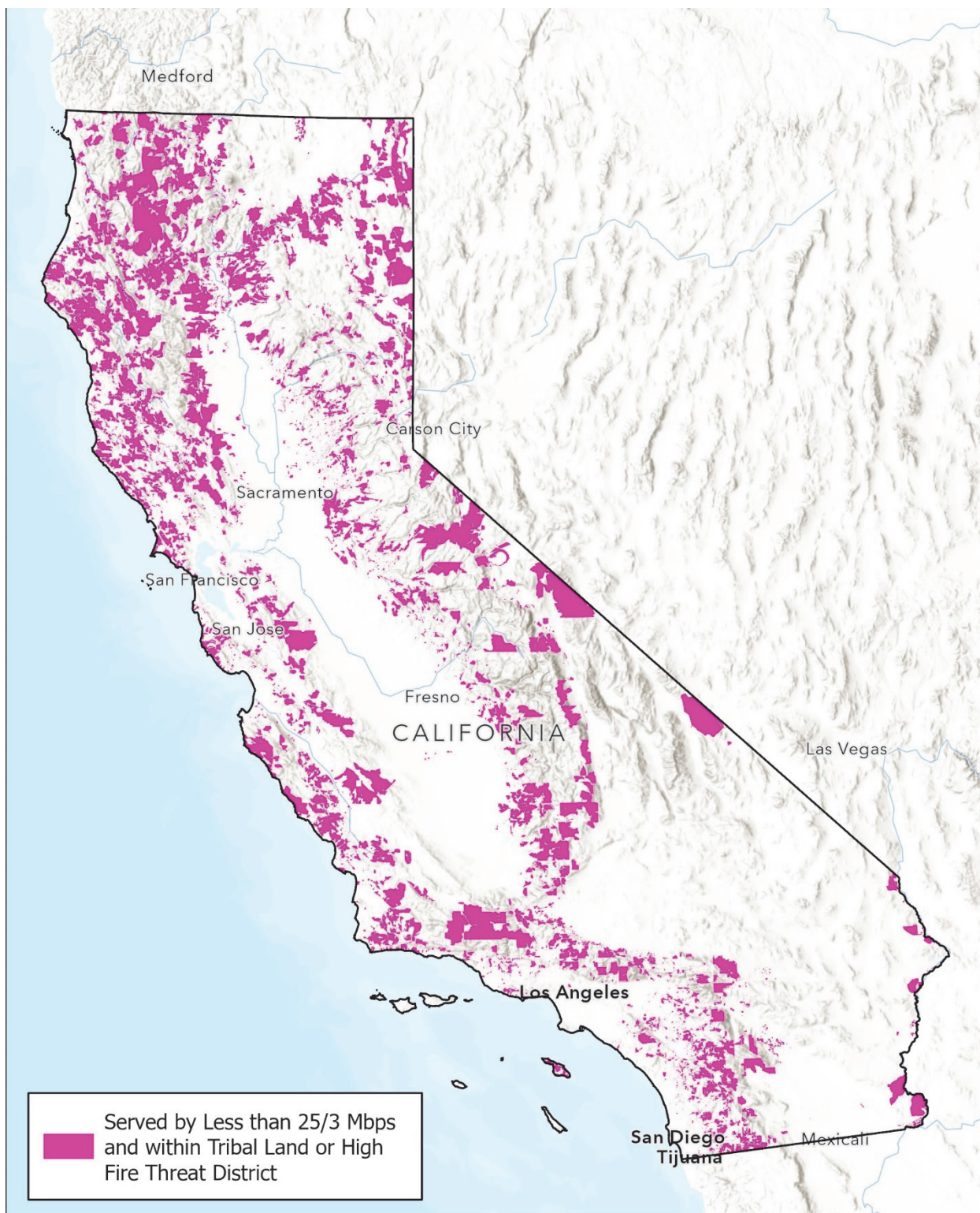


Table 1 further prioritizes the intersection displayed in Figures 1 and 2 by isolating households that are within the number of households belonging to each priority demographic “Subgroup” (columns) and adding similar information for other broadband speed tier “Groups” (rows).

Table 1: Number of Census Blocks within Each Priority Group

Broadband Served Status (Download Speed)	Total Households in California	Tribal & HFTD Households Priority Subgroup 1	Tribal alone Households Priority Subgroup 2	HFTD alone Households Priority Subgroup 3	Non-Tribal, non HFTD Households Priority Subgroup 4
<25 Mbps	127,601	16,115	5,176	44,028	62,282
25 - 100 Mbps	272,852	27,883	15,432	101,408	128,129
100+ Mbps	12,890,536	117,548	158,329	1,749,313	10,865,346

Cal Advocates suggests prioritizing by Group such that all Group 1 households are served with middle mile access prior to serving Groups 2 and 3. Similarly, within Groups, Subgroup 1 should be granted middle mile access prior to Subgroups 2-4. As shown in Table 1, over 16,000 households are “Group 1 / Priority 1 Subgroup,” which means they have broadband availability at speeds less than 25 Mbps download and are in both Tribal and HFTD areas.

Importantly, the state middle mile network should be optimized so that its fiber segments pass as close to as many unserved households as possible and prioritize deployment in areas with unserved households in disadvantaged communities. In addition, this example does not account for the existence of Points of Presence (POPs) and other network infrastructure that will be necessary to ensure the statewide middle mile network functions.¹³ The Commission should identify all existing POPs and factor in the lack of POPs in certain communities into the middle mile prioritization.

¹³ POPs are made up of large numbers of servers and function as data aggregation points that increase the speed at which content is delivered.

Furthermore, the Commission should validate its prioritization using community input, as discussed in Section E of these comments.

B. The Commission should recommend to CDT that access to the middle mile network be sold on a wholesale basis at cost-based prices to last mile communications service providers.

In its report to CDT, the Commission should recommend that access to the middle mile network be sold on a wholesale basis at cost-based prices to last mile service providers, including communications service providers, local governments, and tribal governments. Requiring the sale of access to the middle mile network on a wholesale basis at cost-based prices will ensure that connecting to the network is as affordable as possible, thereby encouraging last mile providers to connect to the network. SB 156 requires that the state middle mile network be open access, however it does not specify that the network be available at cost-based prices. Last mile service providers should pay wholesale, non-discriminatory, cost-based prices for access to the state middle mile network, meaning they should pay only the marginal cost of maintaining the network. Providing access to the state middle mile network at wholesale prices will facilitate access to the network that is non-discriminatory and competitively neutral, as required in SB 156.¹⁴ This recommendation also aligns with other publicly funded open access programs.¹⁵

C. The Commission should recommend that CDT require all last mile communications service providers that use the state middle mile network offer low-income broadband plans.

The Commission and CDT must consider broadband availability and affordability when developing solutions to address the digital divide in California. When building out the proposed state middle mile network, the Commission and CDT should support the development of last mile broadband service to customers that is affordable and available to low-income households. As numerous parties in this proceeding have stated, increasing broadband subscriptions is a critical issue that should be addressed in this proceeding,¹⁶ since the existence of broadband

¹⁴ SB 156, Section 11549.50(e).

¹⁵ Broadband Technology Opportunities Program Nondiscrimination and Interconnection Obligations Fact Sheet. https://www2.ntia.doc.gov/files/Interconnection_Nondiscrimination_11_10_10_FINAL.pdf

¹⁶ Mentioned in the following parties' 10/12/2020 Comments to the Order Instituting Rulemaking as

(continued on next page)

infrastructure in a community does not mean that households are able to subscribe to it. The Commission's own data suggests that the vast majority of Californians who lack broadband connections actually have broadband service available in their communities, but do not subscribe to it because of affordability and other issues. Research by regulatory and independent research institutions suggests that strategies to increase subscriptions, in addition to deployment of broadband infrastructure, are both essential to increase broadband connectivity.^{17,18,19}

Figure 3 shows the number of people with and without broadband at the new downstream speed goal for adequate broadband specified by the OIR, 100 Megabits per second (Mbps). It reveals that most people without broadband subscriptions, 18 million out of 20 million, are offered broadband service at 100 Mbps but do not subscribe to it.²⁰ Table 2 shows this analysis for different speed tiers. Table 2 indicates that, across speed tiers, over 85 percent of Californians without broadband subscriptions are offered broadband service.

broadband "adoption"; Charter Fiberlink CA-CCO, LLC, Time Warner Cable Information Services (California) LLC Opening Comments p. 30, Greenlining Institute Opening Comments p. 9, The Utility Reform Network (TURN) Opening Comments p. 19, AT&T California Comments pp. 8-9.

¹⁷ Dr. Sherie Lichtenberg (2017), "Broadband Availability and Adoption: A state perspective". The National Regulatory Research Institute (independent research affiliate of the National Association of Regulatory Utility Commissioners). This paper emphasizes the need to address both broadband access and adoption in the US; see page vi. Available at: <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKEwig4oHc4f7vAhVBqp4KHZiGDRIQFjAAegQIAhAD&url=https%3A%2F%2Fpubs.naruc.org%2Fpub%2FFA869FEA-FDDE-7070-3340-DE38CB16DFC2&usg=AOvVaw0ZU0c9LP7TRnz9ko5y0Izr>

¹⁸ Lara Fishbane & Adie Tomer (2019), "Broadband adoption is on the rise, but states can do much more." Brookings Institution. Available at: <https://www.brookings.edu/blog/the-avenue/2019/10/10/broadband-adoption-is-on-the-rise-but-states-can-do-much-more/>

¹⁹ The World Economic Forum "Internet for All: A Framework for Accelerating Internet Access and Adoption" whitepaper (2016) presents four categories of barriers to increasing internet usage in both developed and developing countries: infrastructure; affordability; skills, awareness and cultural acceptance; and local adoption. See p. 5. Available at: http://www3.weforum.org/docs/WEF_Internet_for_All_Framework_Accelerating_Internet_Access_Adoption_report_2016.pdf

²⁰ Values are rounded, bubbles are sized to scale; values are based on the information presented in Table 2.

Figure 3: Californians subscribed to 100 Mbps download broadband

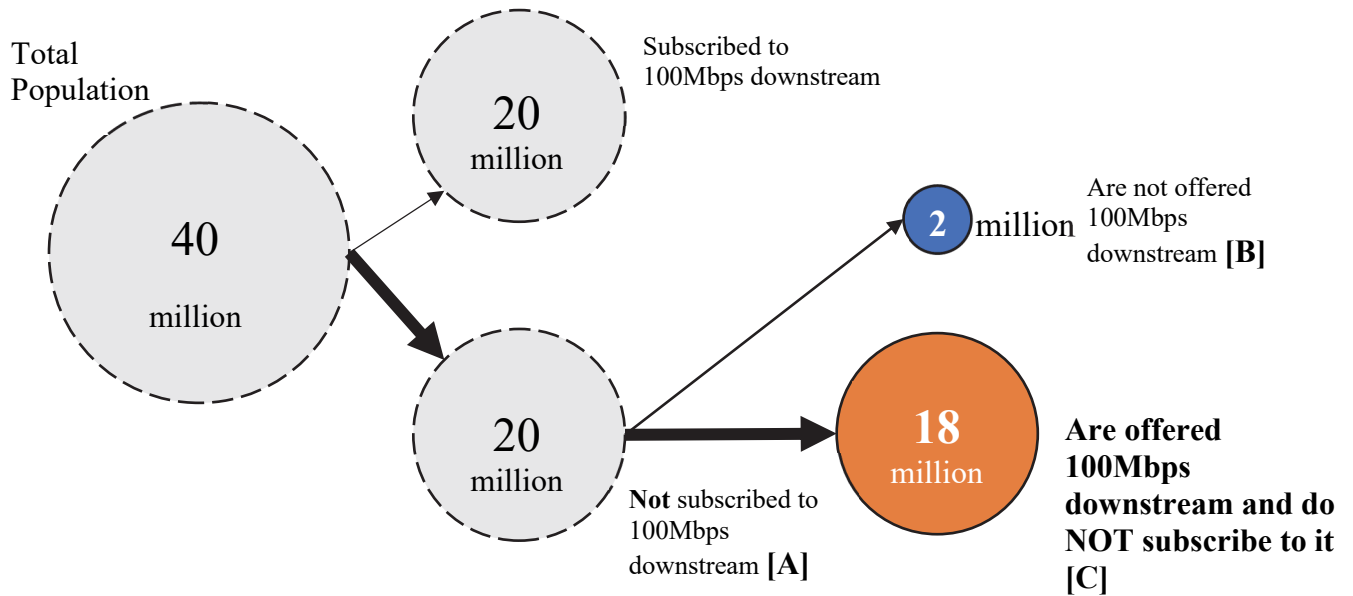


Table 2: Comparison of Total Californians without Broadband Service due to lack of Broadband Availability and lack of subscribership^{21,22}

Speed Tier (Mbps downstream / Mbps upstream)	Population without broadband subscription [A]	Population not offered broadband service [B]	Population that is offered broadband service but does not subscribe [C]	Share of total population that is offered broadband service but does not subscribe [C]/[A]
100 / any	20,538,175	2,168,200	18,369,975	89.4%
25 / 3	13,413,121	1,565,163	11,847,958	88.3%
10 / 1	9,653,055	1,329,617	8,323,438	86.2%
6 / 1	9,162,644	1,313,367	7,849,277	85.7%

²¹ “Broadband availability” data can be misleading because a given census block is classified as having broadband access even if only one household in that census block is offered service; more granular broadband availability data could alter the percentages in Table 2. Regardless of the extent to which the percentages might change, the data strongly indicates that many Californians with access to broadband do not adopt broadband service.

²² Access or “deployment” information taken from the Commission’s “EOY 2019 CA Fixed Broadband Deployment by County – Population”, available at: <https://public.tableau.com/profile/cpuc#!/vizhome/EOY2019CAFixedBroadbandDeploymentAnalysisByPopulation/County>

Adoption information taken from the Commission’s “EOY 2019 CA Fixed Broadband Adoptions by Population”, available at: <https://public.tableau.com/profile/cpuc#!/vizhome/EOY2019BroadbandAdoptionbyPopulation/County>

The percentage of the population across speed tiers that is offered broadband but does not subscribe to broadband service demonstrates that increasing broadband subscriptions is critical. Unless the Commission’s broadband availability data grossly overrepresents the number of people who *do* have access to broadband, most people who are not connected to broadband already have broadband available to them. The Commission must consider these facts in providing recommendations to CDT regarding requirements for last mile providers connecting to the state middle mile network.

The Commission should recommend that CDT require all last mile providers using the state middle mile network to offer low-income broadband plans, and CDT should be responsible for enforcing this requirement with support from the Commission. Last mile communications service providers should offer low-income plans to customers who qualify for the California Alternate Rates for Energy (CARE) program.²³ Table 3 presents a selection of low-income plans from various communications service providers; the low-income plans offered by providers that connect to the state middle mile network should offer low-income plans at rates that are comparable to these.

Table 3: Low-Income Broadband Plans as of March 23, 2021

Plan and Company Name	Monthly Rate Without Tax	Speed (downstream/upstream)
Internet Essentials from Comcast ²⁴	\$9.95	25 Mbps / 3 Mbps
Access from AT&T ²⁵	\$10	Up to 25 Mbps**
Connect2Compete from Cox ²⁶	\$9.95	At least 25 Mbps / 3 Mbps
Spectrum Internet Assist from Charter ²⁷	\$19.99*	30 Mbps / 4 Mbps
Frontier Fundamental Internet ²⁸	\$19.99*	1.6-50 Mbps / 1-50 Mbps**

²³ CARE customer requirements available as of 8/19/2021: <https://www.cpuc.ca.gov/industries-and-topics/electrical-energy/electric-costs/care-fera-program>

²⁴ Internet Essentials from Comcast, last viewed March 28, 2021. <https://www.internetessentials.com/>.

²⁵ Access from AT&T, last viewed March 28, 2021. <https://www.att.com/internet/access/>.

²⁶ Connect2Compete Affordable Internet Program, last viewed March 28, 2021. <https://www.cox.com/residential/internet/connect2compete.html>.

²⁷ Spectrum Internet Assist from Charter Communications, last viewed March 28, 2021. <https://www.spectrum.com/browse/content/spectrum-internet-assist.html>.

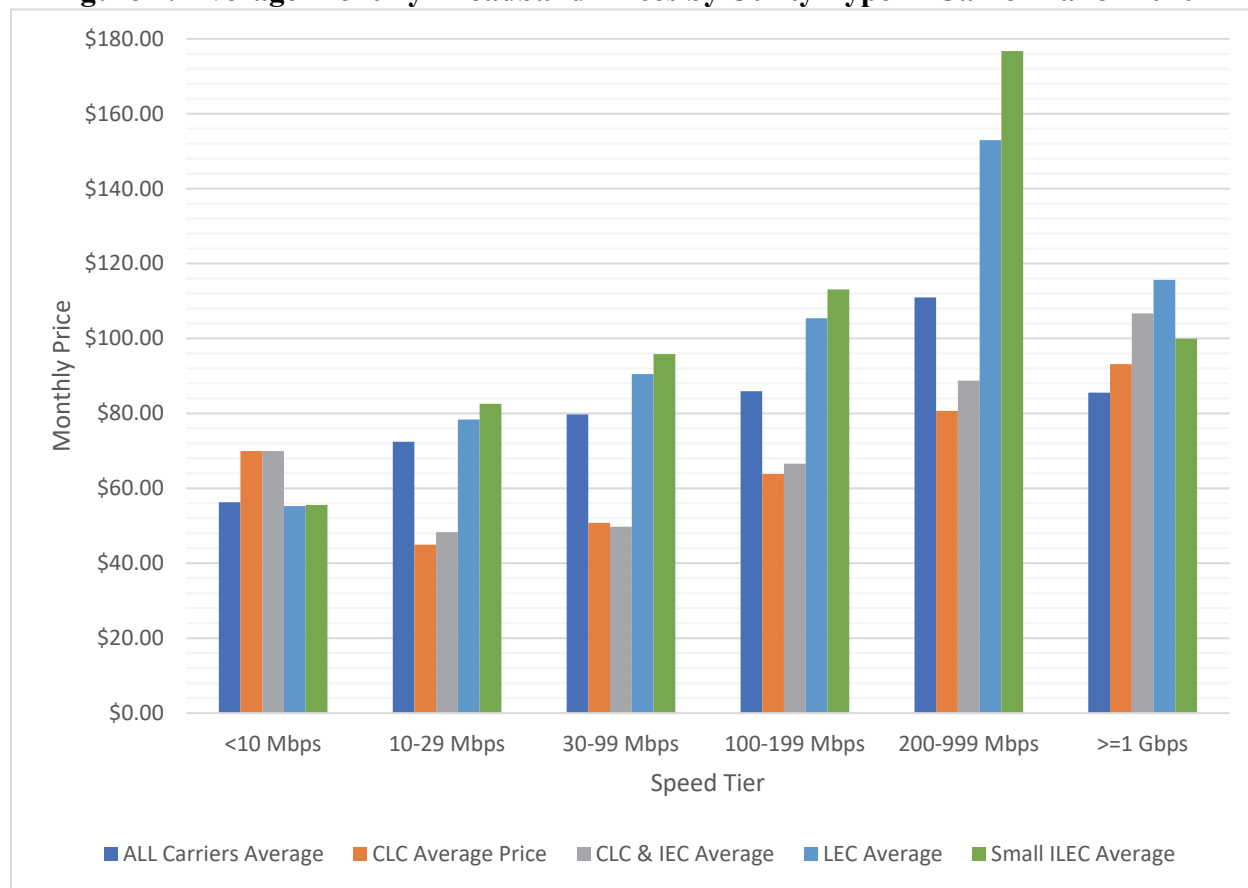
²⁸ Frontier Fundamental Internet, last viewed March 28, 2021. <https://frontier.com/fundamental-internet>.

*Includes \$5 monthly router charge.

**Maximum speed is dependent on availability at the customer's address.

High prices pose a significant barrier for many households in California seeking to subscribe to broadband service. On average, broadband plans cost households \$45 to almost \$180 per month, depending on the service provider type and speeds offered (see Figure 4). The Commission should ensure that last mile service is offered at affordable rates to customers.

Figure 4: Average Monthly Broadband Prices by Utility Type in California for 2020²⁹



Furthermore, the Commission should recommend that CDT consider the speeds last mile service providers interconnecting to the state middle mile network will offer customers. It is critical that last mile connections to the state middle mile network be capable of delivering 100

²⁹ Data obtained in response to a 2020 Cal Advocates Data Request to 49 telephone carriers requesting specific pricing information of various broadband standalone and bundled services that companies charged to their customers in 2020. 36 out of 49 companies responded to this Data Request.

Mbps at affordable rates.³⁰ For example, Cal Advocates has previously shown that fixed wireless internet service providers offer broadband at high price points,³¹ and this has been exemplified within this proceeding through the Energy Investor-Owned Utility Fiber Pilots (Phase II-A).³² San Diego Gas & Electric (SDG&E) is discussing possible opportunities with LTD Broadband, a fixed wireless last mile provider, to offer last mile service in one of the company’s proposed pilot projects.³³ Compared to Figure 4’s average monthly broadband prices for 100 Mbps across all utility types (\$85.91) in California for 2020, LTD Broadband’s 35 Mbps plan costs much more at \$110 per month (see Table 4). CDT should ensure that telecommunications customers have the option of subscribing to high speed, reliable broadband service at affordable rates.

Table 4: LTD Broadband Advertised Plan Speeds and Prices³⁴

Plan Name	Faster	Family	Ultra	Home Office
Download Speed	6 Mbps	10 Mbps	25 Mbps	35 Mbps
Upload Speed	1 Mbps	2 Mbps	3 Mbps	7 Mbps
Plan Price	\$50	\$70	\$80	\$110

³⁰ See Executive Order N-73-20, which directed all California state agencies to pursue a minimum broadband speed goal of 100 Mbps download “to guide infrastructure investment and program implementation to benefit all Californians.” Available as of 9/1/2021 at: <https://www.gov.ca.gov/wp-content/uploads/2020/08/8.14.20-EO-N-73-20.pdf>

³¹ See Cal Advocates, then Office of Ratepayer Advocates (ORA) Opening Brief pp. 17-19 in the “Order Instituting Investigation into the State of Competition Among Telecommunications Providers in California, and to Consider and Resolve Questions raised in the Limited Rehearing of Decision 08-09-042,” Investigation (I.)15-11-007, filed August 12, 2016, available as of 9/1/2021 at: <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=ALL&DocID=167737709>

³² See Cal Advocates Opening Comments on Energy Investor-Owned Utilities’ Phase II-A Broadband Pilot Proposals pp. 4-5 in this proceeding, filed 8/30/2021, available as of 9/1/2021 at: <https://docs.cpuc.ca.gov/PublishedDocs/Efile/G000/M404/K113/404113827.PDF>

³³ SDG&E Phase II-A Pilot Proposal, pp. 8, 13, available at: <http://docs.cpuc.ca.gov/SearchRes.aspx?DocFormat=ALL&DocID=397262199>

³⁴ LTD Broadband, “Plans & Pricing”, <https://ltdbroadband.com/plans>, accessed on August 20, 2021.

D. The Commission should use comprehensive community engagement methods to obtain input from community organizations about the most effective locations for middle mile deployment.

As required in SB 156 Section 11549.54(e),³⁵ the Commission should collect input from community organizations across the state regarding locations for the state middle mile network. The Commission should follow established community engagement recommendations outlined in its “Environmental and Social Justice Action Plan”³⁶ (Goal 5) and its “Remote Access Participation in Commission Public Events Current Issues and Recommendations”³⁷ document to engage with communities who are disadvantaged by a lack of affordable broadband service in ways that would allow members of the public to easily participate and contribute. The Commission should also request that Broadband Consortia³⁸ members provide information about locations that should be prioritized within their regions.

The Commission should then pair the information collected from community engagement efforts with quantitative data about broadband availability to better understand the precise locations and needs of unserved and underserved communities. This combined information should support the Commission’s recommendation to the CDT regarding the location and priorities of the state’s middle mile infrastructure.

³⁵ Per SB 156 Section 11549.54.(e), the Commission, in collaboration with relevant stakeholders, shall identify state highway rights-of-way where installation of open-access middle mile broadband infrastructure should be prioritized.

³⁶ Environmental and Social Justice Action Plan <https://www.cpuc.ca.gov/news-and-updates/newsroom/environmental-and-social-justice-action-plan>

³⁷ Remote Access Participation in CPUC Public Events Current Issues and Recommendations https://www.cpuc.ca.gov/-/media/cpuc-website/files/uploadedfiles/cpuc_public_website/content/about_us/supplier_diversity/remote-access-report-final.pdf

³⁸ See list of Broadband Consortia members as of 9/1/2021 at: <https://www.cpuc.ca.gov/industries-and-topics/internet-and-phone/california-advanced-services-fund/casf-consortia-account>

E. The Commission should recommend that CDT require last mile broadband service providers and local agencies that use the state’s middle mile network to make last mile communications service available.

CDT should meet with last mile service providers that plan to use the state’s middle mile network, including communications service providers, local governments, and tribal governments to determine whether those entities will commit to providing last mile broadband service at affordable rates in the areas where the proposed state middle mile network will be located. Benton Institute’s report on Lessons from Open-Access, Middle Mile Networks recommends working with traditional and nontraditional broadband providers throughout the middle mile network development process to ensure that the state middle mile network will be used and to establish reasonable terms and conditions.³⁹

To ensure that priority communities are being served, CDT should secure commitments from last mile service providers and local agencies to build last mile service in the communities, including by formalizing such commitments in Requests for Proposals or other solicitation documents.

III. CONCLUSION

In order to expeditiously help CDT provide affordable, open access middle mile infrastructure while advancing digital equity and prioritizing connectivity to unserved and underserved communities, the Commission should conduct analysis, incorporate community input, and make recommendations. The Commission should conduct geospatial analysis to identify priority areas, collect community input, recommend that access to the state middle mile network be sold at cost-based prices, and that CDT require all last mile service providers using the middle mile network to offer low-income broadband plans and to provide last mile service to communities where the middle mile network is located.

As such, Cal Advocates recommends the Commission adopt the recommendations presented in these opening comments.

³⁹ Benton Institute for Broadband & Society. If We Build It, Will They Come? Lessons from Open-Access, Middle-Mile Networks, pp. 10-11.
https://www.benton.org/sites/default/files/OAMM_networks.pdf

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